

#3

DECLARATION AND POWER OF ATTORNEY

O I P E J C

APR 18 2002

I, the undersigned inventor, I hereby declare that: my residence, post office address and citizenship are as stated below next to my name; I believe I am an original, first, and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled **SYSTEM FOR AGGLOMERATING EXHAUSTED PARTICULATE MATTER**, the specification of which was filed on December 28, 2001 as United States application no. 10/029,024.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. § 119(a)-(d) or § 365(b) of any foreign application(s) for patent or inventor's certificate or § 365(a) of any PCT International application(s) designating at least one country other than the United States, listed below and have also identified below, any foreign application(s) for patent or inventor's certificate, or any PCT International application(s) having a filing date before that of the application(s) of which priority is claimed:

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. 119
			<input type="checkbox"/> YES <input type="checkbox"/> NO
			<input type="checkbox"/> YES <input type="checkbox"/> NO

I hereby claim the benefit under 35 U.S.C. § 119(e) of any United States provisional application(s) listed below:

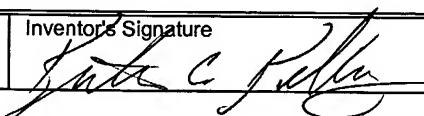
Application Number	Date of Filing

I hereby claim the benefit under 35 U.S.C. § 120 of any United States application(s) or § 365(c) of any PCT International application(s) designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application(s) in the manner provided by the first paragraph of 35 U.S.C. § 112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR § 1.56 which became available between the filing date of the prior application(s) and the national or PCT International filing date of this application:

Application Number	Date of Filing	Status (Patented, Pending, Abandoned)

I hereby appoint the following attorney and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P., CUSTOMER NUMBER 22,852**, David W. Hill, Reg. No. 28,220; Christopher P. Isaac, Reg. No. 32,616; R. Bruce Bower, Reg. No. 37,099; Anthony M. Gutowski, Reg. No. 38,742; Timothy M. Hsieh, Reg. No. 42,672; Kurt A. Luther, Reg. No. 43,764; Kristen Osenga, Reg. No. 45,811; Erik R. Puknys, Reg. No. 40,132; Leonard Smith, Jr., Reg. No. 45,118; Jay A. Stelacone, Reg. No. 42,168; Jeanne M. Tanner, Reg. No. 45,156; and Douglas S. Weinstein, Reg. No. 43,249, all of Finnegan, Henderson, Farabow, Garrett & Dunner, L.L.P. and **CATERPILLAR INC.**, J. Wesley Blumenshine, Reg. No. 32,399; Joseph W. Keen, Reg. No. 28,432; Dennis C. Skarvan, Reg. No. 35,360; and Steven M. Hanley, Reg. No. 46,756, all of Caterpillar Inc., 100 N.E. Adams Street, Peoria, IL 61629-6490. Please address all correspondence to **FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.** 1300 I Street, N.W., Washington, D.C. 20005, Telephone No. (202) 408-4000.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Full Name of First Inventor Kurtis Chad Kelley Residence 914 Birchwood Drive, Washington, Illinois 61571 Post Office Address 914 Birchwood Drive, Washington, Illinois 61571	Inventor's Signature 	Date April 13, 2002
		Citizenship United States

Full Name of Second Inventor Matthew Joseph Maroon	Inventor's Signature 	Date April 3, 2002
Residence 3916 North Kathy Lane, Peoria, Illinois 61615		Citizenship United States
Post Office Address 3916 North Kathy Lane, Peoria, Illinois 61615		

Listing of Inventors Continued on Page 2 hereof. Yes No

FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER, L.L.P.

April 2001